

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On May 20, 2021, the Grand Jury returned a two-count Indictment charging Defendant Wendell Tiallo Clemons with forcibly resisting a federal law enforcement officer (Count One) and being a felon in possession of a firearm (Count Two).

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Joseph M. Marquez and Stephanie Bradshaw
Case Agent: Lieutenant Gary Cross, VA Police Department
Defense: Stephanie Burton and Arimeta R. DuPree

OUTSTANDING MOTIONS: No outstanding motions.

TRIAL WITNESSES:

Government: 5-6 with stipulations; 6-7 without stipulations
Defendant: 3 witnesses, including the Defendant

TRIAL EXHIBITS:

Government: approximately 19 exhibits
Defendant: approximately 10 exhibits

DEFENSES: General denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 days total

Government's case including jury selection: 1 ½ day(s)
Defendant: ½ day(s)

STIPULATIONS: None at this time. Possible stipulation as to nexus of the firearm and conviction, however Defendant may not allow such stipulation.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: None filed. **Due on or before December 27, 2022.**
Defendant: None filed. **Due on or before December 27, 2022.**

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due on or before January 4, 2023.

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: Due on or before January 4, 2023.

TRIAL SETTING: Criminal jury trial docket set for January 9, 2023.

Please note: Defense counsel requests the second week. The Government does not object.

IT IS SO ORDERED.

/s/ Lajuana M. Counts
LAJUANA M. COUNTS
UNITED STATES MAGISTRATE JUDGE